

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

PLEASANT GROVE BAPTIST CHURCH	§	
	§	
vs.	§	CIVIL ACTION NO.
	§	
THE TRAVELERS LLOYDS	§	
INSURANCE COMPANY	§	

DEFENDANT'S NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, The Travelers Lloyds Insurance Company, the defendant in the above entitled and numbered cause, and files this its notice of removal, and in support thereof would respectfully show unto this Honorable Court as follows:

**I.
STATE COURT ACTION**

This case was initially filed in the 123rd/273rd Judicial District Court of Shelby County, Texas. The state court action is styled: Cause No. 17CV34031; Pleasant Grove Baptist Church vs. The Travelers Lloyds Insurance Company, in the 123rd/273rd Judicial District Court, Shelby County, Texas.

**II.
PARTIES**

The plaintiff, Pleasant Grove Baptist Church, is an entity or an assumed name, affiliate, or subsidiary of an entity having its principal place of business in Shelby County, Texas.

The defendant, The Travelers Lloyds Insurance Company ("Travelers"), is an unincorporated insurance association, comprised of individual underwriters, authorized to conduct business in Texas as a "Lloyds Plan" insurer under the Texas Insurance Code. All of

Travelers' underwriters reside in and are citizens of the State of Connecticut and none of Travelers' underwriters reside in or are citizens of Texas.

III. JURISDICTION

This Court has jurisdiction over the subject matter of this cause, pursuant to 28 U.S.C. § 1332, because this is a civil action in which the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, and is between citizens of different states. Accordingly, this cause is removable pursuant to 28 U.S.C. § 1441 and § 1446.

IV. TIMELINESS

Travelers was served with process and the plaintiff's original petition on August 3, 2017. Thirty days have not elapsed since Travelers was served with process. Accordingly, pursuant to 28 U.S.C. § 1446, this notice of removal is timely and proper.

V. ATTACHMENTS

Pursuant to 28 U.S.C. § 1446(a), Local Rule 3, and Local Rule 81, the following exhibits are attached hereto and incorporated herein by reference for all purposes:

- a. Exhibit A: Civil action cover sheet;
- b. Exhibit B: Certified copy of the state court docket sheet¹;
- c. Exhibit C: Copies of pleadings, answers, processes and orders;
- d. Exhibit D: List of parties;
- e. Exhibit E: List of attorneys;

¹ Due to the aftermath and continuing effects of Hurricane Harvey, Travelers was unable to timely obtain a certified copy of the state court docket sheet, but, when Travelers has been able to obtain a certified copy of the state court docket sheet, Travelers will supplement its notice of removal with a certified copy of the state court docket sheet as required by Local Rule CV-81(c)(2)

- f. Exhibit F: Record of parties requesting trial by jury; and
- g. Exhibit G: Statement regarding case status.

**VI.
CONDITIONS PRECEDENT**

The defendant has tendered the filing fee required by the Clerk of the United States District Court for the Eastern District of Texas, Lufkin Division, along with this notice of removal. A copy of this notice of removal is also being filed in the 123rd/273rd Judicial District Court of Shelby County, Texas, and all counsel of record are being provided with complete copies.

**VII.
PRAYER**

WHEREFORE, PREMISES CONSIDERED, the defendant respectfully requests that the above action, styled: Cause No. 17CV34031; Pleasant Grove Baptist Church vs. The Travelers Lloyds Insurance Company, in the 123rd/273rd Judicial District Court, Shelby County, Texas, be removed to this Court.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,

ORGAIN BELL & TUCKER, LLP
P O Box 1751
Beaumont, TX 77704-1751
(409) 838-6412
(409) 838-6959 facsimile

/s/ Greg C. Wilkins
Greg C. Wilkins
State Bar No. 00797669
Southern District Bar No. 33280
gcw@obt.com
Warren B. Wise
State Bar No. 24075299
Southern District Bar No. 1129798
wwise@obt.com

ATTORNEYS FOR DEFENDANT,
THE TRAVELERS LLOYDS
INSURANCE COMPANY

CERTIFICATE OF SERVICE

I do hereby certify that on the 31st day of August, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and, when circumstances resulting from Hurricane Harvey permit, will also forward it to all known counsel of record by Certified Mail, Return Receipt Requested.

/s/ Greg C. Wilkins
Greg C. Wilkins